

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2002-344

November 27, 2002

RCC MINNESOTA, INC.
SRCL HOLDING COMPANY
SACO RIVER COMMUNICATIONS CORPORATION
Request For Designation As Eligible
Telecommunications Carrier

PROCEDURAL ORDER

On November 22, 2002, a case conference was held in this case via conference call. During the call, the next steps to be taken in this proceeding were discussed. It was determined that parties would be given an opportunity to file testimony and briefs on both the factual and legal issues raised in this proceeding. In addition, the parties are requested to address the following:

1. Is RCC engaged in the provision of basic exchange service?
2. How would a Commission order granting RCC ETC status impact the determination of whether RCC is providing basic exchange service?
3. If RCC is providing basic exchange service, should this Commission make the necessary findings to assert jurisdiction and control over and regulation of RCC's provision of basic service pursuant to 35-A M.R.S.A. § 103(13)(C)?
4. If the Commission does assert jurisdiction over RCC, what Commission Rules can and should be enforced? Why is enforcement of each Rule necessary? Are any Commission Rules preempted by federal law or regulations?
5. If the Commission does not assert jurisdiction over RCC, can the Commission impose some or all of its Rules as a condition of granting ETC status to RCC? If the answer to first question is yes, what policy concerns should be considered in selecting the conditions?
6. Do RCC's current business practices comply with any portions of Chapter 290? If so, please list the sections.
7. Is there any portion of Chapter 290 that RCC is willing to comply with absent a Commission order?
8. What portions of Chapter 290 can RCC not comply with? Why?

9. What conditions should the Commission put on RCC to ensure that the USF monies are being used in a manner consistent with 47 U.S.C. § 254 (e)? How closely should the Commission monitor RCC's compliance with § 254?
10. What commitment is RCC willing to make regarding build out using USF monies?

The following schedule was also agreed upon during the case conference:

TAM and OPA filings	December 23, 2002
RCC discovery on TAM and OPA filings	January 3, 2002
Objections to discovery	January 8, 2002
Discovery conference (if necessary)	January 10, 2002 at 10:00 a.m.
TAM and OPA respond to discovery	January 17, 2002
RCC filing	January 24, 2002
TAM and OPA discovery on RCC filing	January 31, 2002
Objections to discovery	February 5, 2002
Discovery conference (if necessary)	February 7, 2002 at 10:00 a.m.
RCC responds to discovery	February 14, 2002
Hearing	March 6, 2002

BY ORDER OF THE HEARING EXAMINER

Trina M. Bragdon